

The Board of County Commissioners Of Riley County, Kansas

The Regular meeting of the Board of County Commissioners met at the Riley County Plaza East Building October 25, 2004 with the following members present: Mike Kearns, Chairman; Bob Newsome, Vice Chairman; Alvan Johnson, Member; and Rich Vargo, County Clerk.

8:30 Public Comment & Business Meeting

Leon Hobson, Director of Public Works/County Engineer; Monty Wedel, Director of Planning and Development; and Rod Meredith, Assistant Director of Public Works/Parks Director, attended.

Johnson moved to approve the minutes of October 21, 2004 as amended. Newsome seconded. Carried 3-0.

Kearns said Monty Wedel was going to visit with Diane Stoddard, City of Manhattan, about the City of Manhattan's adjusted census figure.

Wedel said he has contacted the City staff about the census figures.

Wedel said Riley County could do an informal challenge to the census figures.

Meredith presented a purchase option of a Vibromax Sheep Foot Roller for \$51,135.00. Meredith said the purchase has been activated in the CIP Fund.

Newsome moved to authorize the purchase of the Vibratory Sheep Foot Roller from Sellers Equipment in the amount of \$51,135.00 from the CIP fund. Johnson seconded. Carried 3-0.

9:00 Leon Hobson, Director of Public Works/County Engineer

Bret Glendening, Budget and Finance Officer; and Rod Meredith, Assistant Director of Public Works/Parks Director, attended.

Hobson said the Chamber of Commerce has encouraged Riley County to proceed with the new K-18 Corridor Study.

Newsome moved to authorize Riley County to enter into a contract with BG Consultants for the new K-18 Corridor Study in the amount of \$167,000.00. Johnson seconded. Carried 3-0. The State will contribute \$133,500.00.

Hobson said he will also contact the State of Kansas about proceeding with the K-18 Corridor Study.

Hobson said City Staff will perform a hydrology study for the East Marlatt Avenue ditch.

9:20 John Cowan, GIS Coordinator

Don Taylor, Technical Assistant/Training & Safety; Mark Scott, Manhattan Mercury; and Cheryl Collins, Museum Curator, attended.

Cowan said the GIS website continues to get high usage.

Cowan said he is working with the Appraiser land use files, building footprints, publishing Ogden zoning map, completed City of Riley zoning map and other projects.

Cowan discussed updating the Riley County aerial photography.

9:30 Press Conference

Howard Haile, Information Systems Supervisor; Don Taylor, Technical Assistant/Training & Safety; Cheryl Collins, Museum Curator; Rod Meredith, Assistant Director of Public Works/Parks Director; Stan Morgan, Counselor/Director of Administrative Services; Mark Scott, Manhattan Mercury; Brennan Engle, Free Press; and Marshall Ice, KMAN, attended.

Haile stated Riley County's website has information updated by each department within their section.

Haile said the Clerk's Office has a lot of election information available for residents. Haile said Riley County's budget is available, commission minutes and agendas, tax calculator, and signups for various departmental lists.

Taylor said the safety program is developed by the Public Works Safety Committee. Taylor said KPL, Red Cross, Fire extinguishers, back injury and heavy lifting, blood borne pathogens, and many other topics are covered in safety training. Taylor said the Safety Committee Chairman inspects vehicles and buildings monthly. Taylor said 19 employees are enrolled in the Kansas Road Scholar Program.

Taylor said 120 training videos are available to Riley County employees.

C. Collins said the Riley County Historical Society Anniversary Dinner Meeting will be November 8, 2004 at 6:30 p.m. at Zeandale.

C. Collins said the program will be on Pre-Civil War personalities.

Meredith reported Riley County crews will be working on the following projects the week of October 25, 2004 . These roads will be temporarily closed or reduced to one lane at different times throughout the week.

1. Significant asphalt patching across both lanes on Riley County 893, Walnut Creek Road.
2. Sewer line construction along Marlatt Avenue west of Seth Child Road continues but is nearing completion. Marlatt will be reduced to one lane periodically.
3. LK&W Road is still closed west of US 77 to construct a concrete box culvert. The project is about half done. The concrete is poured

and regrading will begin soon. It will remain closed another 4 – 6 weeks.

4. Work will soon begin on North Otter Branch Road to replace a bridge. Another announcement will be made when the road is actually closed.
5. The last of the road striping will be completed along Marlatt Avenue this week. All paving and shoulder work is complete.
6. An intersection will be overlaid on Anderson Avenue about 4 miles south of US24/77 later in the week.

Adverse weather conditions may cause unexpected delays and rescheduling. Be advised that fresh asphalt oil will be applied on some projects, take alternate routes when possible.

If you have questions concerning these projects, contact the Riley County Public Works Department at 2711 Anderson Ave., Manhattan, Kansas or call 539-2981.

Vargo reported 985 advance voters have walked in, 1348 advance ballots have been mailed out of which 416 have been received back. Vargo said advance voting is open this week 8:00 a.m. - 7:00 p.m. and 8:00 a.m. – 12 (noon) on Saturday, October 30, 2004. Vargo stated advance voting closes Monday at noon.

10:15 Cheryl Collins, Museum Curator

Marshall Ice, KMAN; Geri Simon; Jan Kruh, League of Women Voters; Jim Watson; and Mickey Bogart, attended.

C. Collins reviewed the resolution that established the Riley County Historical Museum Board of Trustees.

Johnson moved to sign "Resolution No. 102504-53, A Resolution establishing duties and responsibilities of the Board of Trustees of the Riley County Historical Museum." Newsome seconded. Carried 3-0.

10:30 Dennis Peterson, Director of Noxious Weed – Bid Opening for one-ton 4 x 4 heavy duty regular cab-chassis truck

Geri Simon; Jan Kruh, League of Women Voters; Stan Morgan, Counselor/Director of Administrative Services; and Buck Gehrt, attended.

The Board of County Commissioners opened the following bids for a one-ton 4x4 heavy duty regular cab-chassis truck:

<u>Company</u>	<u>Total Bid</u>
Shawnee Mission Ford 11501 Shawnee Mission Pkwy Shawnee Mission, KS 66203-3388	\$26,312.00
Ed Bozarth Chevrolet, Inc. P.O. Box 1477, 3731 South Topeka Avenue Topeka, KS 66601	\$27,163.00
Marshall Motor Co 3500 S. 9 th Street Salina, KS 67401-7882	\$24,847.00
Dick Edwards Ford L/M P.O. Box 368, East Hwy 24 Manhattan, KS 66505-0368	\$27,223.00
Briggs Motor Co Manhattan, KS 66502	\$26,159.00
Bolton Chrysler 11 E. Main Council Grove, KS 66846	\$31,927.00
Jim Clark Auto Center Junction City, Kansas	\$27,147.00
Green Ford Sales P.O. Box 189 Abilene, KS 67410	\$25,995.00

Johnson moved to refer the bids to staff for evaluation and recommendation. Newsome seconded. Carried 3-0.

10:40 Bob Isaac, Planner and Derrick Slocum, Planning Intern

Buck Gehrt; Skip Pickering; Geri Simon; Jan Kruh, League of Women Voters; Louise Schultes; and Stan Hoerman, attended.

Slocum presented a request to rezone a tract of land from “G-1” (General Agricultural) to “A-5” (Single Family Residential) and plat the property into one (1) residential lot.

Slocum said staff recommends approval of the request.

Kearns opened the public hearing for a request to rezone a tract of land from “G-1” (General Agricultural) to “A-5” (Single Family Residential) and plat the property into one (1) residential lot.

No public comment.

Kearns closed the public hearing.

Johnson moved to approve the request (#04-18) to plat the property into one (1) residential lot, and accept any easements, rights-of-way or licenses, as shown on the final plat. Newsome seconded. Carried 3-0.

Johnson moved to approve“ Resolution No. 102504-54, Resolution amending the zoning map of Riley County concerning the use of certain real estate located in Swede Creek Township. “ Newsome seconded. Carried 3-0.

Johnson moved to approve“ Resolution No. 102504-55, A Resolution approving the Louise’s Acres plat and accepting the street rights-of-way, easements, and licenses as shown on said plat.” Newsome seconded. Carried 3-0.

Isaac presented a request to plat a .94-acre tract and Lot 9, Vista Acres Addition, No. 2, into one (1) residential lot.

Isaac reported staff recommends approval of the request.

Kearns opened the public hearing for a request to plat a .94-acre tract and Lot 9, Vista Acres Addition, No. 2, into one (1) residential lot.

Hoerman asked if it is a 10' utility easement for an 8'. Isaac said the easement will not be anymore than 10 feet.

Kearns closed the public hearing.

Newsome moved to approve the request to plat a .94-acre tract and Lot 9, Vista Acres Addition, No. 2, into one (1) residential lot and accept any easements, rights-of-way or licenses, as shown on the final plat. Johnson seconded. Carried 3-0.

Newsome moved to approve "Resolution No. 102504-56, A Resolution approving the Vista Acres Subdivision unit four plat and accepting the street rights-of-way, easements, and licenses as shown on said plat." Johnson seconded. Carried 3-0.

11:00 Stan Morgan, Counselor/Director of Administrative Services

• Administrative Work Session

Ron Klataske, Audubon of Kansas; Pete Gehrt, 3240 Mineral Spring Road; Skip Pickering, Pickering Ranch; Colleen Anderson; Buck Gehrt; Kate Watson; Geri Simon; Jan Kruh, League of Women Voters; Mark Scott, Manhattan Mercury; Marshall Ice, KMAN; Bob Isaac, Planner; Brennan Engle, Free Press; Derrick Slocum, Planning Intern; and Lorn Clement, Riley County Planning Board, attended.

Kearns said he would make a motion to prohibit WECS in Riley County.

Kearns stated why he opposes:

- A. Are 40 story industrial complexes, which if allowed and put in place will change the character of Riley County from urban rural to industrial.

If we allow these, why not:

- hazardous waste dumps.
- refuse dumps for the east.

- B. I am looking out for individual property rights also – the rights of the non-select many who will be adversely affected by the construction of these 40 story industrial complexes on the land of a select few.

- C. I believe the authorization of these 40 story industrial complexes should be prohibited in Riley County for many reasons to include:

- a. Drive down surrounding land values (i. values are ag and ascetic.
- b. Counter productive to agri tourism in Riley County.
- c. Contra to Riley County Comprehensive Plan.
 - Preserve agricultural land.
 - Let these industrial complexes in and others will come.
 - Will tear up rural road system.
 - Will violate intent to keep what industrialization we get within urban area of county
 - Will create long-term environmental damage.
- d. Contra to urban area plan.
 - Roads aren't capable of handling the traffic associated with these 40 story complexes.

e. No benefit to Riley County.

- No taxes.
- No electricity here.
- Jobs illusionary.

The basis for my motion is as follows: that Commercial Wind Energy Conversion Systems would not be in the best interests of the general welfare of the county as a whole; they do not conform to the Riley County, Kansas Comprehensive Plan; nor the Urban Area Plan; they would be incompatible with the rural, agricultural, and scenic character of the county; they would be detrimental to land values and opportunities for agricultural and nature based tourism. Each reason stands on its own. This motion is based upon what has been presented at public hearings, public meetings, letters, documents, constituent input, my experience, and my personal knowledge of the issue.

Kearns moved that Commercial Wind Energy Conversion Systems, that is a wind driven machine that converts wind energy into electrical power for the primary purpose of sale, resale or off site use be prohibited in Riley County. Motion died for the lack of a second.

Wedel presented zoning regulations on WECS.

Johnson suggested adding applications not completed shall not be accepted.

Kearns said he would like 20 times the height of WECS for the notification zone.

Kearns noted he would not get any support for the notification zone change.

Johnson asked if the adjustment to the zone to the edge of the property allows for the protest petition process to be carried out?

Morgan said the 1000' notification regulation as written is in line with the intent of the statute.

Kearns said action will be taken on the WECS Regulations on Thursday, October 29, 2004 at 8:30 a.m. during the business meeting.

11:40 Recessed.

12:00 Intergovernmental Luncheon

1:00 Newsome moved to adjourn. Johnson seconded. Carried 3-0.